

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ALEX HAMPTON and)	
WILLIAM HAMPTON,)	
)	
Plaintiffs,)	Case No.
)	
vs.)	
)	
DONALD DANFORTH PLANT)	
SCIENCE CENTER,)	<u>Jury Trial Demanded</u>
)	
Defendant.)	

COMPLAINT

COME NOW Plaintiffs Alex Hampton and William Hampton, through their undersigned attorneys, and for their Complaint, state as follows:

1. This is an individual employment discrimination action seeking declaratory, injunctive and monetary relief due to Defendant's race discrimination against Plaintiffs in violation of their rights under 42 U.S. C. Section 2000e et seq., 42 U.S.C. Section 1981 and R.S. Mo. Section 213.010 et seq.
2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. Section 1331 and Section 1343(4). The Court has jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. Section 1367.
3. At all times relevant to the events described herein, at least one of the Plaintiffs, both of whom are African-American males, resided in the Eastern District of Missouri, within the jurisdiction of this Court. In addition, the events and transactions leading to the cause herein occurred in the Eastern District of Missouri, within the jurisdiction of this Court.
4. Defendant is a non-profit corporation registered to do business in the State of

Missouri and doing business in the Eastern District of Missouri within the jurisdiction of this Court.

5. Plaintiffs each filed separate, timely charges of race discrimination with the United States Equal Employment Opportunity Commission (“EEOC”) and the Missouri Commission on Human Rights (“MCHR”) and have met all jurisdictional prerequisites for filing the within action.

6. At all times relevant to the action within, Plaintiffs each worked for Defendant as Part-Time Security Officers at Defendant’s facility at 975 North Warson Road, St. Louis County, Missouri, within the territorial jurisdiction of this Court.

7. On or about March 1, 2010, Defendant denied each Plaintiff the opportunity to be promoted to an open position as a Full-Time Security Officer on the basis of race, and instead filled the open position by promoting a white male employee.

8. Defendant discriminated against Plaintiffs on the basis of race, in that it denied Plaintiffs the opportunity to be promoted to an open position as a Full-Time Security Officer on the basis of their race, African-American.

9. Due to Defendant’s aforementioned actions, Plaintiffs have suffered and will continue to suffer losses of wages and benefits, emotional pain, suffering, inconvenience, mental anguish, humiliation and loss of enjoyment of life.

10. At all times relevant hereto, Defendant was aware of the prohibitions against race discrimination contained in 42 U.S.C. Section 2000e et seq., 42 U.S.C. 1981 and R.S. Mo. Section 213.010 et seq.

11. Defendant committed the acts set forth above because of Plaintiffs’ race in violation of 42 U.S.C. Section 2000e et seq., 42 U.S.C. Section 1981 and R.S. Mo. 213.010 et

seq.

12. The acts of Defendant set forth above were willful, deliberate, malicious, outrageous, and done with reckless and wanton disregard for the rights of Plaintiff.

13. Plaintiffs demand a trial by jury.

WHEREFORE, Plaintiffs respectfully request the following relief:

1. Enjoin Defendant, its successors, officers, agents, representatives, employees, attorneys and those acting in concert with it, from engaging in the policies and practices complained of above, or any other discriminatory employment practices that are violative of the law;

2. Order Defendant make Plaintiffs whole for any and all losses or damages suffered as a result of Defendant's unlawful employment practices, including, among other things, back pay, interest thereon, front pay, retroactive seniority, pension, health and dental coverage, and other employment-related benefits and compensatory damages lost to Plaintiffs due to Defendant's discriminatory policies and practices, with interest;

3. Enter judgment in favor of Plaintiffs and against Defendant in an amount sufficient to compensate them for their damages set forth above, including punitive damages;

4. Award Plaintiffs the costs of this action, together with their reasonable attorney fees;

5. Grant such other relief as may appear to the Court to be just and proper.

JERALD A. HOCHSZTEIN, LLC

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